

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

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**In Re: PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESALE PRICE
LITIGATION**

THIS DOCUMENT RELATES TO

State of Montana v. Abbott Labs., Inc., et al., D.
Mont. Cause No. CV-02-09-H-DWM

*State of Nevada v. American Home Prods. Corp.,
et al.*, 02-CV-12086-PBS
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MDL NO. 1456

Master File No. 01-CV-12257-PBS

Judge Patti B. Saris

**UNOPPOSED MOTION TO EXTEND THE DATES FOR FILING OF DEFENDANTS'
REPLY AND PLAINTIFFS' SURREPLY ON THE DEFENDANTS' MOTION TO
DISMISS THE STATE OF MONTANA'S SECOND AMENDED COMPLAINT AND
THE STATE OF NEVADA'S AMENDED COMPLAINT**

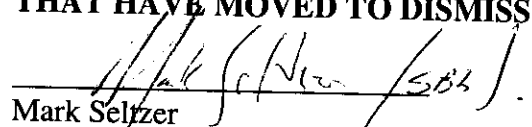
On behalf of all Defendants that have moved to dismiss the above-captioned actions, the undersigned counsel hereby moves to extend the dates for filing of Defendants' consolidated reply, the individual reply briefs, and Plaintiffs' surreply on Defendants' motions to dismiss the above-captioned actions. The current deadlines for the reply and sur-reply briefs are October 30, 2003, and November 14, 2003, respectively. The new deadlines for the reply and sur-reply briefs would be November 7 and November 25, 2003, respectively. The hearing date for the motion, currently scheduled for December 12, 2003, would be unaffected.

Defendants' counsel has conferred with counsel for Plaintiffs concerning this Motion, and can report that Plaintiffs do not oppose this Motion.

DATED: October 28, 2003

Respectfully submitted,

**ON BEHALF OF THE DEFENDANTS
THAT HAVE MOVED TO DISMISS**


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Certificate of Service

I hereby certify that on October 28, 2003, I caused a true and correct copy of this Unopposed Motion to Extend the Dates for Filing of Defendants' Reply And Plaintiffs' Surreply on the Defendants' Motions to Dismiss the State of Montana's Second Amended Complaint And the State of Nevada's Amended Complaint to be served on all counsel of record by electronic service pursuant to Case Management Order No. 2 entered in MDL No. 1456 by Judge Saris.


Mark Seltzer